

PUBLIC HEARING—Oct. 13, 1965

Appeal #8378 Martin and Anna Kryz, appellants.

The Zoning Administrator District of Columbia, appellee.

Upon motion duly made, seconded and unanimously carried the following Order was entered on October 19, 1965:

ORDERED:

That the appeal for a variance from the lot occupancy requirements of the R-2 District to permit erection of ten private garages on alley lot at the rear of 1120-1124 Geranium St. N. W., alley lot 836, square 2956, be granted conditionally.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's alley lot abuts alleys on three sides, all sixteen feet in width, except for the north side of the lot which abuts the rear of homes on Geranium Street. The lot contains an area of 6000 square feet of land on which appellant proposed to erect ten private garages.

(2) Across the alley to the east property is zoned C-2 and is zoned R-2 in all other directions.

(3) The garages as proposed will be 23.17 feet removed from the alley line to the west, four feet from the alley line to the east and approximately fifty feet from the furthestmost portion of the lot to the south. The garages will abut the rear of property facing on Geranium Street.

(4) The proposed garages will be arranged in two rows of five garages each from north to south. The garages will be 10 x 20 feet in size and will have access from the east and west alleys.

(5) The proposed garages will occupy 40% of the lot and will provide a rear yard space,

(6) This Board under date of January 6, 1964, in appeal #7536, denied appellant permission to erect fourteen private garages on this property. Appellant testified at the hearing that he would be willing to have a restriction to rent to neighbors.

(7) There was objection to the granting of this appeal registered at the public hearing.

OPINION:

In view of the restrictions imposed on the owner of this lot by this order, we are of the opinion that appellant has proven a case of hardship within the meaning of the variance provisions of the regulations, and that a denial of the appeal would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the appellant.

In view of the conditions imposed and the limited use of this property, we are of the further opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map.

This Order shall be subject to the following conditions:

- (a) The use of these garages shall be for private automobiles only, and no commercial use of the garages shall be permitted.
- (b) Appellant shall erect a heavy duty Anchor type fence with a minimum of five feet in height at the rear of lot 55 from the garage building to the alley.